

SENATE BILL NO. 591

June 5, 1997, Introduced by Senator BOUCHARD and referred to the Committee on Gaming and Casino Oversight.

A bill to amend 1953 PA 189, entitled

"An act to provide for the taxation of lessees and users of tax-exempt property,"

by amending section 1 (MCL 211.181), as amended by 1996 PA 447.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. (1) Except as provided in this section, if real
2 property exempt for any reason from ad valorem property taxation
3 is leased, loaned, or otherwise made available to and used by a
4 private individual, association, or corporation in connection
5 with a business conducted for profit, the lessee or user of the
6 real property is subject to taxation in the same amount and to
7 the same extent as though the lessee or user owned the real
8 property.

9 (2) Subsection (1) does not apply to all of the following:

1 (a) Federal property for which payments are made instead of
2 ad valorem property taxes in amounts equivalent to taxes that
3 might otherwise be lawfully assessed or property of a
4 state-supported educational institution, enumerated in section 4
5 of article VIII of the state constitution of 1963.

6 (b) Property that is used as a concession at a public air-
7 port, park, market, or similar property and that is available for
8 use by the general public.

9 (c) Property that is used by the lessee or user only in con-
10 junction with a county fair, community fair, 4-H fair, or state
11 fair of this state, or in conjunction with a special event for
12 which the lessee or user pays a fee to the county fair, community
13 fair, 4-H fair, or state fair. As used in this subdivision,
14 "special event" means an event during which property is occupied
15 by the lessee or user for not more than 14 consecutive days.

16 (d) For tax days before December 31, 1985, property that is
17 used by the lessee or user in such a manner that the city or
18 township in which the property is located receives revenue under
19 section 17 of the horse racing law of 1995, ~~Act No. 279 of the~~
20 ~~Public Acts of 1995, being section 431.317 of the Michigan~~
21 ~~Compiled Laws~~ 1995 PA 279, MCL 431.317.

22 (e) Real property located in a renaissance zone, EXCEPT A
23 CASINO, to the extent and for the duration provided ~~pursuant to~~
24 ~~IN the Michigan renaissance zone act, Act No. 376 of the Public~~
25 ~~Acts of 1996, being sections 125.2681 to 125.2696 of the Michigan~~
26 ~~Compiled Laws~~ 1996 PA 376, MCL 125.2681 TO 125.2696, except a
27 special assessment or a tax described in section 7ff(2) of the

1 general property tax act, ~~Act No. 206 of the Public Acts of~~
2 ~~1893, being section 211.7ff of the Michigan Compiled Laws 1893~~
3 PA 206, MCL 211.7FF. AS USED IN THIS SUBDIVISION, "CASINO" MEANS
4 A CASINO OR A PARKING LOT, HOTEL, MOTEL, OR RETAIL STORE OWNED OR
5 OPERATED BY A CASINO, AN AFFILIATE, OR AN AFFILIATED COMPANY,
6 REGULATED BY THIS STATE PURSUANT TO THE MICHIGAN GAMING CONTROL
7 AND REVENUE ACT, THE INITIATED LAW OF 1996, MCL 432.201 TO
8 432.216.